



1619

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PATENT  
13 2001

Attorney Docket No.: 033700WC004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bengt SANDBERG, et al. )  
Appln. No.: 09/881,213 / ) Group Art Unit : 1619  
Filed: June 15, 2001 ) Examiner : Not yet assigned  
For: Biotin Derivatives )

**RELATED CASE LETTER**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The following patent application is cited as a related case:

U.S. Patent Application No. 09/519,998, filed on March 6, 2000, Attorney Docket No. 033700WC003 and U.S. Patent Application No. 09/750,280, filed on December 29, 2000, Attorney Docket No. 033700WC005.

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By: 

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November 8, 2001

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2001-06-05  
AWAPATENT, Malmö

UW  
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CANCER CENTER

May 29, 2001

EXHIBIT A

Mr. Dan Henriksson  
AWAPATENT AB  
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Dear Mr. Henriksson,

I received the information you faxed to me regarding PC-US-2002572 last week, but did not have time to respond until today. In the faxed information there was a question as to whether I (or the University of Washington) had received a Foreign Filing License on our original patent application. This is the first that I have heard of a Foreign Filing License. In my discussions with personnel in the University of Washington's Office of Technology Transfer, it was indicated that they were not familiar with the requirement for a Foreign Filing License either. I am sure that this situation arises from the fact that it is unusual for personnel at the University of Washington to file outside of the US prior to the US Filing. All of my previous patent applications had been filed in the US before being filed in other countries, and thus, I did not have to obtain a Foreign Filing License on them.

I am a co-inventor as the concepts and studies which resulted in the patent application came from a joint effort with Dr. Bengt E.B. Sandberg of Mitra Medical Technologies (Lund, Sweden). It was decided within Mitra to file the patent outside of the US first. They asked me if that was ok. I spoke to Dr. Karen Deyerle of the Office of Technology Transfer at the University of Washington about this and she indicated that it was ok. At no time was a requirement for a Foreign Filing License mentioned. This oversight was completely inadvertent and certainly was not done with any intention of deception. The subject matter of the patent application is new reagents for cancer therapy, which I believe does not come under any US secrecy order, now or at the time of the original filing.

I am sorry for this oversight. Please proceed immediately to petition for a retroactive license to correct this oversight.

Sincerely,

  
D. Scott Wilbur, Ph.D.  
Department of Radiation Oncology  
University of Washington

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